

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

HUMBERTO MARTINEZ,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-09-1023-D
	)	
	)	
GREG WILLIAMS,	)	
	)	
Respondent.	)	

**ORDER**

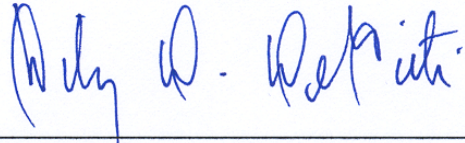
Petitioner, a state prisoner appearing *pro se*, brought this action for a writ of habeas corpus pursuant to 28 U.S.C. §2254. In accordance with 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Doyle W. Argo for initial proceedings.

Petitioner filed a Motion for Default Judgment [Doc. No. 10] and a Motion for “Order of Protection” [Doc. No. 11]. In a Report and Recommendation [Doc. No. 13], the Magistrate Judge recommended that both motions be denied. The Magistrate Judge advised Petitioner of his right to object to the Report and Recommendation, and scheduled a December 14, 2009 deadline for filing such objections. The Magistrate Judge also advised Petitioner that a failure to timely object would constitute a waiver of his right to further review of the factual findings and legal conclusions contained in the Report and Recommendation.

To date, Petitioner has not filed an objection and has not sought an extension of time in which to do so. Accordingly, the Report and Recommendation [Doc. No. 13] is adopted as though fully set forth herein.

Petitioner's Motion for Default Judgment [Doc. No. 10] and his "Motion for Order of Protection" [Doc. No. 11] are DENIED. This case remains under referral to United States Magistrate Judge Doyle W. Argo.

IT IS SO ORDERED this 13<sup>th</sup> day of January, 2010.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE